

DEPARTMENT OF STATE REVENUE

LETTER OF FINDINGS NUMBER: 01-0042

Individual Income Tax
Calendar Year Ended 12/31/99

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ISSUE(S)

I. **Adjusted Gross Income** – Indiana County Tax

Authority: IC 6-3.5-1; IC 6-3.5-1.1- 2

Taxpayer protests the assessment of County Income Tax.

STATEMENT OF FACTS

Taxpayer filed its 1999 IT-40 without including County Income Tax on his return.

1. **Adjusted Gross Income** – Indiana County Tax

DISCUSSION

Taxpayer, at hearing, protested that he never received a proper explanation regarding the additional assessment that has been paid. Taxpayer wanted to know why he was assessed CAGIT when his employer did not withhold the tax and why it took the department so long to advise him of the underpayment and caused additional interest to be charged him.

Taxpayer's employer did not withhold county tax and the taxpayer failed to report it on his return.

IC 6-3.5-1.1-2 authorizes the tax and (f) states that

“If a county’s adjusted gross income tax is continued under this subsection, then the tax shall be treated as if it had been imposed under this chapter and is subject to rescission or reduction as authorized in this chapter.”

The IT-40 Instruction Booklet clearly outlines the requirement and the rates of tax.

FINDING

Taxpayer’s protest is denied.